



Department Source: Community Development - Planning

To: City Council

From: City Manager & Staff

Council Meeting Date: September 19, 2016

Re: Alley Vacation Policy

Executive Summary

From time to time the City receives requests from property owners to vacate public alleys or portions of alleys. Council has requested that an alley policy be developed before additional requests to vacate alleys are heard.

Discussion

Background

The City of Columbia has 43 alleys in service in the downtown area, the majority of which run east-west through the middle of blocks. Only four of the alleys run on a north-south axis; all four are one half-block in length. "In service" means the alley has been improved with a paved surface and functions as secondary access (to buildings or parking) or service access (deliveries, solid waste operations, utility connections) to adjoining properties. There are several locations where original downtown alleys have been vacated and are platted but have not been opened, or have been obliterated by other improvements.

Over the years the City has received periodic requests to vacate alleys or portions of alleys. Some actions taken include the following:

- Motion to prepare an ordinance for Council consideration vacating 60 lineal feet of an alley between 15 North Providence and 203 East Walnut Street (April 2016; ordinance pending)
- Vacation of an unopened alley on property owned by the University of Missouri located between 6th and 7th Streets; retention of utility easements;
- Vacation of an alley between Locust and Elm Street, from 9th and 10th Street, to accommodate expansion of the First United Methodist Church; relocation of utilities formerly located within the alley.

There have also been a number of right-of-use agreements approved by the City Council to allow private property owners the ability to make improvements within the alleys. Though not the same thing as right-of-way vacation, right-of-use is mentioned because it may be another option for Council when it determines it is not in the public interest to relinquish the alley. Examples include:

- Alley A, Ninth to Tenth Streets: closure of alley to vehicle traffic; storm drainage work; repaving to create a more pedestrian-oriented surface.



City of Columbia

701 East Broadway, Columbia, Missouri 65201

- Landmark Bank (First National Bank & Trust) improvements to alley between Broadway and Walnut, from Eighth to Ninth Streets: Parking lot improvements, security lift gates, landscaping, and pavement markings for a pedestrian route.

There is no City ordinance that elaborates the procedures for the vacation of alleys. Current practice is to require an application and \$300 fee; circulate the alley vacation request to City Departments and other service providers for review and comment; and provide a report to the City Council before preparing legislation.

Suggested Policy (applicable to downtown):

General policy:

- Alleys provide secondary access and service access to properties, they serve as utility corridors, and often provide alternative routes for pedestrians. In general, existing, functional alleys in the central business district will be preserved as public ways and will *not* be vacated, unless Council finds that it is in the public interest to vacate the alley or a portion thereof.
- Factors that Council may consider in vacating an alley:
 - The alley is redundant and does not provide benefits to the public to justify its ongoing maintenance.
 - The alley, or a portion to be vacated, is a hazard or a potential hazard.
 - The vacation of the alley or portion of the alley is mitigated by the provision of a new alley, or shared access aisle, in an alternative alignment.
 - The function of the alley is compromised by topography or structures, or lacks continuity (e.g., a dead-end).
 - The alley is platted but not opened and there is no anticipated need to construct an alley in the platted location.

Specific policies

- If utilities are present - or needed - in an alley to be vacated, the applicants are required to either a) Relocate utilities at their expense to locations acceptable to the utilities and the City Council; or b) Provide a public utility easement within the vacated alley corridor.
- If the vacated alley is part of a redevelopment plan, the applicant should provide an alternative alignment with a new alley or section of alley to insure that there will be no loss of service access.
- Applicants requesting the vacation of an alley must notify all property owners adjoining the alley.
- If there are no buildings proposed in an alley to be vacated, and the alley alignment may be useful in the future, a right-of-use agreement may be more appropriate than vacation of the alley.

This policy is written for the central business district where many of the blocks served by alleys support dense development, the alleys form a network, and are paved for the most part. Additional work is needed to adapt the policy to the several neighborhood areas that have



alleys. Outside of the downtown, alleys are more sporadic, vary in the numbers of properties that rely on them for access, and vary in their state of improvement.

Fiscal Impact

Short-Term Impact: N/A

Long-Term Impact: N/A

Vision & Strategic Plan Impact

Vision Impacts:

Primary Impact: Downtown, Secondary Impact: Transportation, Tertiary Impact: Development

Strategic Plan Impacts:

Primary Impact: Infrastructure, Secondary Impact: Public Safety, Tertiary Impact: Economy

Comprehensive Plan Impacts:

Primary Impact: Infrastructure, Secondary Impact: Mobility, Connectivity, and Accessibility, Tertiary Impact: Livable & Sustainable Communities

Legislative History

Date	Action
6/20/16	B137-16 Vacating a portion of an east-west alley located between 203 E. Walnut Street and 115 N. Providence Road (tabled)

Suggested Council Action

Report for Council discussion and action as deemed appropriate.